

MAP-21 Reauthorization and ADA Updates

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Presentation Outline

- **Beyond MAP-21**
- **ADA Updates**
- **Q/A**

Reauthorization of MAP-21

- **27 month bill, expires Fall of 2014**
- **Required infusion of capital from the General Fund**
- **HTF runs into funding shortfalls early as this Summer**
- **“Unknown Unknown”**
- **3 phases left in this legislative year**
 - **~ 25 days left between now and June**
 - **~ 40 days between June primaries and election day**
 - **~15-30 days post election Lame Duck session**



Reauthorization of MAP-21

- **Progress to date:**
- **Senate EPW Committee**
 - **Senator Boxer - two hearings to date**
 - **Broad look at need to maintain Federal \$\$ for states and local transportation needs and reauthorization**
 - **Witnesses made case for Federal spending and a long term bill.**
 - **Would like to have bill for committee mark-up by end of April**
 - **Finance Committee key to funding**



Reauthorization of MAP-21

- **Progress to date:**
- **House T&I Committee**
 - **Water bill still in works-it comes first**
 - **Rep. Shuster-several hearings and roundtables focusing on reauthorization**
 - **50K foot level-need for long term bill**
 - **Has a primary challenge May 20**
 - **Mark-up bill this Summer**

Reauthorization of MAP-21

- **Biggest hurdle will be source of funding**
- **Priority for policy makers will be avoiding disruption to the HTF**
- **Prognostication!!**
 - **Continuing resolution for MAP-21 till 2015**

Reauthorization of MAP-21

- So the “unknown unknown”-next round of legislation-when?
- FP² will remain engaged in this process to ensure that preservation outcomes remain as intended
- Need assistance from YOU!! to encourage passage. Get on board and contact your legislator-if you don't know how-see the latest Preservation Journal for tips.



Americans with Disabilities Act

- **The issue-“Alterations” to the pavement surface**
- **Title II, Section 202 in the original ADA act, 1990, deals with alterations**
- **Act mandates compliance when reconstruction, rehabilitation, resurfacing, and widening are planned**
- **Maintenance activities (pot hole patching in Act) are exempt**

Americans with Disabilities Act

- **Compliance requires that state and local governments ensure that persons with disabilities have access to the pedestrian routes in the public right-of-way.**
- **Obligation whenever streets or roadways are altered to provide curb ramps, if they don't meet current standards, where street level pedestrian walkways cross curbs.**
- **FP2 Inc. is a very firm supporter of the ADA act**



Americans with Disabilities Act

- FP² Inc. provided comments in November 2011 specifically exempting preservation treatments
- Attempted to follow course of action-discussions between DOJ and FHWA
- Joint DOJ/DOT Joint Technical Assistance document dated July, 2013 “clarifies” the original intent of ADA regarding alterations
- We question engineering reasonableness



Americans with Disabilities Act

Includes:

Overlays w/wo milling

New layers of Asphalt

PCC rehab and
reconstruction

OGFC

Microsurfacing

Thin lift overlay

Cape Seals

CIR

Excludes:

Striping

Crack sealing

Chips Seals

Fog seals

Slurry seals

Scrub seals

Dowel bar retrofit

Diamond grinding

Patching



Americans with Disabilities Act

- **FHWA comments (January 2014) -**
 - **No feedback yet from DOTs on implementation**
 - **No data indicating impact on budgets or how it may affect which treatments are used**
 - **Without data-no action to discuss or “modify” the alteration category**
 - **Agree that some alterations may be maintenance**

Americans with Disabilities Act

- **Indications are local agencies-**
 - **Not aware of requirements**
 - **Think since they don't use federal funds, they don't have to comply**
- **What are the long-term impacts on safety, budgets, and network life extension?**

ADA-what's next?

- **AASHTO resolution**
- **FP² funded studies to develop cost data?**
- **Working with NACo, NACE, APWA, AHUA, etc. to develop strategies**
- **Other actions?**

Q/A

Comments

Questions?



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